

4787-5

11/20/2009

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460



OFFICE OF
PREVENTION, PESTICIDES,
AND TOXIC SUBSTANCES

NOV 20 2009

Carrie M. Tackema
Registration Manager, Cheminova, Inc.
One Park Drive, Suite 150
P.O. Box 110566
Research Triangle Park, NC 27709

Dear Ms. Tackema:

Subject: Submission of amended labeling per Use Deletion Guidance 12/30/08 and revised
May 2009 Malathion RED Label Table
EPA Reg. No. 4787-5
Submissions dated September 3, 2009

The proposed labeling referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), is acceptable provided that you submit two copies of your final printed label before you release the product for shipment. Products shipped after 18 months from the date of this amendment or the next printing of the label which ever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA sec. 6(e). Your release for shipment of the product bearing the amended label constitutes acceptance of these conditions.

Additional label corrections may be needed pending submittal and review of your responses to the Malathion RED.

A stamped copy is enclosed for your records. If you have any questions, please contact Marianne Lewis at (703) 308-8043 or lewis.marianne@epa.gov.

Regards,

Venus Eagle
Insecticide-Rodenticide Branch
Registration Division (7505P)

Enclosure

2095

ACCEPTED
11/20/09
Under the Federal Insecticide,
Fungicide, and Rodenticide Act,
as amended, for the pesticide
Registered under
EPA Reg. No. 4787-5

STOP! READ THE LABEL

FYFANON® TECHNICAL

An Insecticide and Miticide for Formulating Use Only

ACTIVE INGREDIENTS:

Malathion: 0,0-dimethyl phosphorodithioate of diethyl mercaptosuccinate..... 96.5%

INERT INGREDIENTS:..... 3.5%

TOTAL:..... 100%

This product contains 9.9 pounds of Malathion per gallon

EPA Reg. No. 4787-5

EPA Est. No. 4787-DN-1

Net Weight: 564 Lbs. (55 gallons)

Product of Denmark

Manufactured by

CHEMINOVA A/S

DK-7620 Lemvig - Denmark

Phone (+45) 96 90 96 90 - Fax: (+45) 96 90 96 91

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KEEP OUT OF REACH OF CHILDREN

CAUTION

PRECAUCION

**IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE,
DAY OR NIGHT, 1-866-303-6950**

AL USUARIO: Si usted no lee ingles, no use este producto hasta que la etiqueta le haya sido explicada ampliamente. **(TO THE USER:** If you cannot read English, do not use this product until the label has been fully explained to you.)

FIRST AID Organophosphate	
IF SWALLOWED:	-Call a poison control center or doctor immediately for treatment advice. -Have person sip a glass of water if able to swallow. -Do not induce vomiting unless told to by a poison control center or doctor. -Do not give anything by mouth to an unconscious person.
IF INHALED:	-Move person to fresh air. -If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. -Call a poison control center or doctor for further treatment advice.
IF ON SKIN OR CLOTHING:	-Take off contaminated clothing. -Rinse skin immediately with plenty of water for 15-20 minutes. -Call a poison control center or doctor for treatment advice.
IF IN EYES:	-Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. -Call a poison control center or doctor for treatment advice.
Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.	
NOTE TO PHYSICIAN: This material is a cholinesterase inhibitor. Treat symptomatically. Atropine is an antidote.	

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION

Harmful if swallowed, absorbed through skin, or inhaled. Causes moderate eye irritation. Avoid breathing vapor. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash clothing before reuse.

ENVIRONMENTAL HAZARDS

This pesticide is toxic to aquatic organisms, including fish and invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollutant Discharge Elimination System (NDPES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

RESTRICTIONS

This product can not be formulated into end-use products that are formulated as a pressurized (i.e., aerosol) can.

Any ULV end-use products formulated for use for aerial applications, other than those with directions for use in Wide Area Mosquito Adulticide applications, must be packaged in closed mixing and loading systems.

All wettable powders (WP) formulations must be packaged in water soluble packaging.

This product cannot be formulated into end-use products formulated as a dust with directions for use in residential settings.

Only for formulation into an insecticide for the following use(s):

(1) The following uses:

TERRESTRIAL FOOD CROP:

Alfalfa, avocado, barley, beans* (dry and succulent), birdsfoot trefoil, blueberry, bulb onions, cherry (sweet and tart), clover, cotton, cucumber, eggplant, endive, field corn, garlic, grain sorghum*, grapefruit, grapes, grass, green onions, kumquat, lettuce (head and leaf), leek, lemon, lespedeza, lime, lupine, oats, orange, pasture land, pepper, popcorn, range land, rye, shallot, squash, strawberry, sweet corn, tangerine, tomato, vetch, wheat, and white potato.

*When formulating MALATHION TECHNICAL for use on beans and sorghum, the resultant crop foliage of beans (forage and straw/hay) and sorghum (fodder/stover and forage) cannot be used as livestock feed. In addition, livestock grazing is not permitted for the foliage of beans and sorghum treated with any formulation of MALATHION TECHNICAL.

TERRESTRIAL NON-FOOD CROP:

Christmas tree plantations, ornamental herbaceous/nonflowering plants and ornamental and/or shade trees, ornamental wood shrubs and vines, pine seed orchards, and uncultivated non-agricultural areas/soil.

DOMESTIC AND NON-DOMESTIC OUTDOOR:

Garbage dumps, outdoor domestic dwellings, wide area and general outdoor treatment (for flying insects).

NONDOMESTIC INDOOR STORED (SILOS, GRAIN ELEVATORS) COMMODITY TREATMENT:

Stored commodities (corn, barley, oats, rye, and wheat).

AQUATIC FOOD CROP¹:

Rice and wild rice.

¹RESTRICTION: When formulating MALATHION TECHNICAL for use on these crops, the following statement applies: "Broadcast use only over intermittently flooded area. Application may not be made around bodies of water where fish or shellfish are grown and/or commercially harvested."

(2) Uses for which USEPA has accepted the required data and/or citations of data that the formulator has submitted in support of registration (which are not prohibited); and

(3) Uses for experimental purposes that are in compliance with USEPA requirements.

Before using for for experimental purposes, manufacturers should contact CHEMINOVA for manufacturing and safe handling instructions.

STORAGE AND DISPOSAL

Do not contaminate water, food, or feed by storage or disposal.

PESTICIDE STORAGE: FYFANON TECHNICAL should be stored in the original unopened container in a secure, dry place. Do not contaminate with other pesticides or fertilizers. The product should never be heated above 55°C (131°F), and should not be stored for long periods of time at a temperature in excess of 25°C (77°F).

PESTICIDE DISPOSAL: To avoid wastes empty all material into mix tank or manufacturing equipment according to label directions. Wastes resulting from the use of this product must be disposed of on site or at an approved waste disposal facility.

Nonrefillable containers equal to or less than 5 gallons:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse container promptly after emptying. Triple rinse as follows: Empty the remaining contents into manufacturing equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container ¼ full with water and recap. Shake for 10 seconds. Pour rinsate into manufacturing equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

Nonrefillable containers greater than 5 gallons:

Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available. Triple rinse as follows: Empty the remaining contents into manufacturing equipment or a mix tank. Fill the container ¼ full with water. Replace and tighten closures. Tip container on its side and roll it back and forth, ensuring at least one complete revolution, for 30 seconds. Stand the container on its end and tip it back and forth several times. Turn the container over onto its other end and tip it back and forth several times. Empty the rinsate into manufacturing equipment or a mix tank or store rinsate for later use or disposal. Repeat this procedure two more times.

NOTICE

Seller's guarantee shall be limited to the terms set out on the label and subject thereto, to the extent consistent with applicable law the buyer assumes the risk to persons or property arising from the use or handling of this product and accepts the product on that condition.

CHEMINOVA specifically disclaims any implied warranties of merchantability and fitness for a particular purpose in the case of any use of this product not listed in paragraph (1) above. No express or implied warranties, including warranties of merchantability or fitness for a particular purpose, apply in the case of any use not listed in paragraph (1) above, whether or not such use has been supported by data submitted by any other person, including any other registrant; and to the extent consistent with applicable law, CHEMINOVA shall not be liable to any person for any damages, including any damage to crops, phytotoxicity, or lack of efficacy, in the case of any use of this product not listed in paragraph (1) above, nor is CHEMINOVA liable for any consequential damages resulting from such use.